

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

HOUSE BILL 794

44TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 1999

INTRODUCED BY

Rick Miera

AN ACT

**RELATING TO HEALTH CARE; REQUIRING PHYSICIANS, OSTEOPATHS,
NURSE PRACTITIONERS, CHIROPRACTORS AND DOCTORS OF ORIENTAL
MEDICINE OR PRACTITIONERS OF ACUPUNCTURE OR ORIENTAL MEDICINE
TO ACCEPT ASSIGNMENT OF MEDICARE BENEFITS; IMPOSING PENALTIES;
REPEALING AND ENACTING SECTIONS OF THE NMSA 1978.**

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

**Section 1. MANDATORY ASSIGNMENT OF MEDICARE BENEFITS- -
ENFORCEMENT BY DEPARTMENT OF HEALTH- -PENALTIES. - -**

**A. Physicians licensed pursuant to Chapter 61,
Article 6 NMSA 1978, osteopaths licensed pursuant to Chapter
61, Article 10 NMSA 1978, chiropractors licensed pursuant to
Chapter 61, Article 4 NMSA 1978, doctors of oriental medicine
or practitioners of acupuncture or oriental medicine licensed
pursuant to Chapter 61, Article 14A of NMSA 1978 and nurse**

underscored material = new
~~[bracketed material]~~ = delete

underscored material = new
[bracketed material] = del ete

1 practitioners licensed pursuant to Chapter 61, Article 3 NMSA
2 1978 shall accept the assignment of medicare benefits for
3 services provided to any patient eligible under the federal
4 medicare program provisions for reimbursement or payment on
5 his behalf for charges for services eligible for medicare
6 coverage.

7 B. The department of health is authorized to
8 accept and hear a complaint made against a physician, an
9 osteopath, a chiropractor, a nurse practitioner or a doctor of
10 oriental medicine or practitioner of acupuncture or oriental
11 medicine for failure to accept an assignment of medicare
12 benefits for services provided to a person eligible for
13 medicare program reimbursement. After notice of the complaint
14 and an opportunity to be heard being afforded to the party
15 complained of, the department of health may dismiss the
16 complaint or impose remedies, including civil penalties,
17 assessed in accordance with rules promulgated pursuant to
18 Subsection C of this section.

19 C. The department of health shall promulgate rules
20 to implement the provisions of this section and shall
21 establish remedies or penalties for any violation of the
22 provisions of Subsection A of this section.

23 Section 2. REPEAL. -- Section 24-1-23 NMSA 1978 (being
24 Laws 1987, Chapter 157, Section 1) is repealed.